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9 Attorneys for Plaintiff  
 10 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT  
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA, ) CR No. 08-1201-DOC-3  
 14 )  
 Plaintiff, ) ORDER CONTINUING TRIAL DATE AND  
 15 ) FINDINGS REGARDING EXCLUDABLE  
 v. ) TIME PERIODS PURSUANT TO SPEEDY  
 16 ) TRIAL ACT  
 RUBEN CAVAZOS, ET AL., )  
 17 )  
 Defendants. )  
 18 )  
 19 )  
 20 )  
 21 )

22 The Court has read and considered the Stipulation Regarding  
 23 Request for (1) Continuance of Trial Date and (2) Findings of  
 24 Excludable Time Periods Pursuant to Speedy Trial Act. The Court  
 25 hereby finds that the Stipulation, which this Court incorporates  
 26 by reference into this Order, demonstrates facts that support a  
 27 continuance of the trial date in this matter, and provides good  
 28

1 cause for a finding of excludable time pursuant to the Speedy  
2 Trial Act, 18 U.S.C. § 3161.

3 The Court further finds that: (i) the ends of justice served  
4 by the continuance outweigh the best interest of the public and  
5 defendants in a speedy trial; (ii) failure to grant the  
6 continuance would be likely to make a continuation of the  
7 proceeding impossible, or result in a miscarriage of justice;  
8 (iii) the case is so unusual and so complex, due to the nature of  
9 the prosecution, and the number of defendants, that it is  
10 unreasonable to expect preparation for pre-trial proceedings or  
11 for the trial itself within the time limits established by the  
12 Speedy Trial Act; and (iv) failure to grant the continuance would  
13 unreasonably deny defendants continuity of counsel and would deny  
14 defense counsel the reasonable time necessary for effective  
15 preparation, taking into account the exercise of due diligence.

16  
17 THEREFORE, FOR GOOD CAUSE SHOWN:

18 1. The trial in this matter for all defendants is  
19 continued from April 13, 2010 to October 5, 2010. A status  
20 conference date for all defendants is set for August 16, 2010 at  
21 1:30 p.m.

22 2. The time period of April 13, 2010 to October 5, 2010,  
23 inclusive, is excluded in computing the time within which the  
24 trial must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A),  
25 (h)(7)(B)(i), (B)(ii), and (B)(iv).

26 3. Nothing in this Order shall preclude a finding that  
27 other provisions of the Speedy Trial Act dictate that additional  
28 time periods are excluded from the period within which trial must

1 commence. Moreover, the same provisions and/or other provisions  
2 of the Speedy Trial Act may in the future authorize the exclusion  
3 of additional time periods from the period within which trial  
4 must commence.

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6 IT IS SO ORDERED.

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8  
9 April 22, 2010  
DATE

  
\_\_\_\_\_  
THE HONORABLE DAVID O. CARTER  
UNITED STATES DISTRICT JUDGE

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14 Presented by:

15 /s/  
16 REEMA M. EL-AMAMY  
17 Assistant United States Attorney  
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